

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION**

**HAL D. HOGAN**

**V.**

**DEBRA COLE AND KIM COLE**

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**No. 5:24CV143-RWS-JBB**

**ORDER**

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge J. Boone Baxter pursuant to 28 U.S.C. § 636. Docket No. 2. On November 25, 2024, the Magistrate Judge issued a Report recommending that Plaintiff's case be dismissed without prejudice for lack of subject matter jurisdiction. Docket No. 6 at 1.

Plaintiff Hal D. Hogan, proceeding *pro se*, received the Report and Recommendation via electronic notification. Docket No. 3. As of this date, no objections to the Report and Recommendation have been filed. Because no objections have been filed, Plaintiff is barred from *de novo* review by the District Court of the Magistrate Judge's findings, conclusions, and recommendations. Moreover, except upon grounds of plain error, an aggrieved party is barred from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. *See Duarte v. City of Lewisville*, 858 F.3d 348, 352 (5th Cir. 2017); *Arriaga v. Laxminarayan*, Case No. 4:21-CV-00203-RAS, 2021 WL 3287683, at \*1 (E.D. Tex. July 31, 2021).

The Court has reviewed the pleadings in this case and the Report and Recommendation of the Magistrate Judge. Upon such review, the Court has determined the Report and Recommendation of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918 (1989) (where no objections to a Magistrate Judge's report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law"). Accordingly, it is

**ORDERED** that the Report of the Magistrate Judge (Docket No. 6) is **ADOPTED** as the

opinion of the District Court. It is further

**ORDERED** that the above-entitled and numbered cause if action is **DISMISSED**  
**WITHOUT PREJUDICE** for lack of subject matter jurisdiction.

**So ORDERED and SIGNED this 21st day of February, 2025.**

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE